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LEGAL SEPARATIONS IN THE POLICE COURTS

BY THE REV. WILLIAM SEWELL, D.D.

IT is remarkable how enthusiastically the State has directed its attention to Social Welfare questions. Not only have a number of definite measures been passed to cope with some of the more obvious problems, but a vast amount of entirely new and experimental work has been officially begun in what was once the province of voluntary effort.

The results of this modern enthusiasm are extremely interesting. Voluntary social welfare workers, whose good will and experience have been fully enlisted, find themselves engaged in testing new ideas and new methods without much to guide them except their past experience and a mass of untried suggestions. Officials, such as Probation Officers, find themselves overwhelmed by the rapid multiplication of their duties and the necessity for training new recruits. We can well understand the present lack of settled policy in many of the new "Social Services," the title given to those forms of social welfare work which are adopted by Local or Central Governments.

Catholics cannot afford to disregard such activity on the part of the State, nor the danger involved in the adoption of new ideas. Even in problems which we know well, v.g., Adoption, Ex-Prisoners' Aid, Probation, the Care of Orphans and the Destitute, the changing attitude of the authorities is an urgent reason for increased attention on our part. The newer problems need investigation, as we are sometimes bound to oppose the aims proposed in their treatment and the methods employed

We cannot claim that we have no opportunity. In the present uncertainty as to aims and methods, the co-operation of Catholics is welcomed and we are often given the chance of showing the value of Catholic principles in practice. It is the purpose of this article to demonstrate this in the case of one of our newer problems.

The problem is the reconciliation of married couples who come to the Police Court for legal separation. To put it briefly, the modern contention is that more than half of such cases can be successfully dealt with by sending the parties concerned to some competent person who will try to help them to reconstruct their married life. The success claimed for this procedure is greater than one would suppose. It is stated in a Government Report (Social Services in Courts of Summary Jurisdiction, March, 1936) that "no fewer than two-thirds of the attempts to effect a reconciliation appeared to be successful" during the three months in which statistics were compiled for the purpose of the Report. Not everyone will agree with this assertion and the Report itself is a little dubious. It would probably be more correct to claim that about half the attempts at reconciliation can be successful.

As the Government Report referred to devotes its first section to the question of reconciliation (page 1 to page 34) it is worth while giving a short summary of its attitude. After noting the legal grounds for separation, the most important being aggravated assault, desertion, persistent cruelty and habitual drunkenness, it goes on to give the numbers of those who, in 1933, applied to the Courts for separation and were heard. Unfortunately, it does not give the total of those who applied, but only the cases which actually came to trial. These numbered 13,603, involving 27,206 persons. Out of these 9,718 orders were made, involving 19,436 persons. However, from these figures and from others supplied in the three months' special statistics, we can estimate with some degree of accuracy how many people approach the Magistrates and Justices every year in order to be legally separated. They number from 90,000 to 100,000.¹ From all indications, the total of matrimonial cases in the Courts is steadily increasing year by year, and the present numbers for 1937 already show a marked increase over the corresponding ones for last year.

The actual position of conciliation next occupies the attention of the Committee. It must be remembered that the law is entirely silent in regard to any amicable settlement of marriage difficulties. This explains the wide diversity of practice which is noted. Some courts seem to make little or no effort to bring about peace, but the usual course is to employ the Probation Officer as conciliator. Agents of missionary societies, police-women, the Magistrates themselves, all act as conciliators and

¹ By proportion. In three months 1,776 cases were heard out of 6,222. In 1933 13,603 cases were heard out of, etc. Another method gives 65,000 cases, i.e. 130,000 people involved.

"in one London Court, owing to special circumstances, the co-operation of the clergy, both Anglican and Roman Catholic, has been secured."² Not only do the agents vary, but the methods also. The one interesting fact which is gathered from a consideration of the present position is that a host of officials are willing to put themselves to inconvenience to which they are not legally bound in order to save marriages from disaster. Reconciliation efforts *are* regarded as worth while.

The future of reconciliation is not settled by the Report. In fact, any kind of legislation is deprecated, and the Committee pins its faith to "voluntary effort" (p. 11). Suggestions and advice are given and it is here that the Catholic interest is touched upon. The employment of the Magistrates as conciliators is not advised owing to the legal difficulties which may arise. The Probation Officer, that much over-worked individual, is recommended as the best-fitted person to deal with married couples who come to Court. But the Report is not blind to the difficulties of the Probation Officer. Two practical handicaps to his employment are set forth: the first, the lack of sufficient time to deal properly with separation cases and the second the fact that not all Probation Officers are equally suited for "work which calls for knowledge of life and experience of men and women as well as tact and sympathy." Youth or bachelordom may prove embarrassing. For these reasons, the Probation Officer, while advised to keep charge of each case, is recommended to seek the help of others in addition to, or instead of, his own efforts. The co-operation of the clergy is approved. "Where the parties are willing, a minister of religion who has the right kind of approach may be able to bring strong influence to bear and may be in a better position than the Probation Officer alone to keep in touch with the parties when they leave the Court." This recommendation is the more striking as it is understood that the Committee had only the experiences of one London Court to go by.

The special section devoted to the Catholic case is as follows:—

Roman Catholic witnesses have urged that where the parties are Roman Catholics the work of conciliation should be conducted by persons of their own faith. With practising members of any Church, conciliation is most likely to succeed if it is carried out by a co-religionist and in such cases where a Roman Catholic officer is available he should be employed. Where there is none, it may sometimes be possible, with the consent of the applicant, to obtain the assistance of a Roman Catholic agency or to refer her to her parish priest, but no pressure should be exerted and care should be taken to prevent any risk that the applicant is prevented from obtaining her legal remedy if she wishes it.

It is amusing to see this "no pressure should be exerted" on the same page as it is mentioned that "a minister of

² Since this was printed, priests are working in two other London Courts.

religion . . . may be able to bring strong influence to bear." Various suggestions have been made to explain why the Committee wished this caution to be inserted in the case of Catholics, but no satisfactory reason has been given. The most reasonable explanation depends on another remark of the Report concerning over-zealous Probation Officers who "may even be actuated by personal convictions as to the sanctity of the marriage-tie." So, knowing that Catholics do not admit divorce, the Committee considered it wise to insist on the parties' freedom in the case of separation.

Whatever the real opinion of the Committee, the Catholic cannot complain that he is shut out. The way is left open even for priests to help the Courts and, in such delicate matters as marriage disagreements, they are far better qualified to do so than laymen.

As "a useful auxiliary to conciliation," the granting of "Interim Orders" is approved and surprise expressed that greater use is not made of them. "Interim Orders" are temporary separations until the case comes up for judgment again. The couple live apart, the husband being ordered to pay maintenance to his wife. Such orders give the parties time to consider, especially to consider the practical difficulties of separation. They give time also to the Conciliator to investigate the case and to decide on his methods.

The other recommendations of the Committee concerning Separate Sessions for Matrimonial Cases, the Composition of the Court, Publicity and legal representation of the parties need no special comment, but a word must be said concerning the Reports given by the Conciliator to the Court. As can be imagined, there are legal difficulties due to the laws of evidence. Various expedients were suggested which would allow the Court to hear information which was perfectly certain but not strictly evidence. None of the suggestions made were judged satisfactory and, to be quite candid, the procedure recommended by the Report does not seem very satisfactory either. It is designed to "ensure that the Court is not compelled to decide cases in ignorance of facts" and consists in the Probation Officer furnishing a "statement of allegations" which makes no mention of whether conciliation was attempted, by whom it was attempted, the religion of the parties or any other useful information, beyond names, addresses, date of marriage, children, and general allegations of each party against the other, with the names of persons able to give evidence. That such a procedure should be judged satisfactory shows the uncertainty and lack of practical experience of the Committee, as no legal separation could possibly be decided upon in any circumstances unless the Magistrate had this information (names, etc.), and no case has ever been decided without it. The suggested method does not touch the problem of the Conciliator's views at all, and all the information the Magistrate has in addition to what he would ordinarily get by questioning is the indirect knowledge that conciliation has failed.

Such, in brief, are the Committee's views.³ Like those of most Governmental Committees, its findings are cautiously expressed, and sometimes so intent is it on giving full value to both sides of a question that its recommendations are contradictory. But the attitude, towards conciliation is clear. It is accepted as part of a Court's unofficial duty and the co-operation of anyone competent is welcomed.

What is our attitude towards co-operation in such conciliation work? Out of the 45,000 to 50,000 cases which come before the Court every year, there must be over 2,000 Catholic cases. Except in London, these are not regularly dealt with in any way by Catholics, though here and there, some energetic Catholic may be able to claim interest in one or two couples. Even in London, the Probation Officers and others cannot claim to deal with such cases. It is not part of the ordinary work of Probation and "the law is silent." In many Courts where there is a Catholic Probation Officer, it has been found that most of the conciliation cases never reached him, but were dealt with by the non-Catholic officer in his capacity of Court Missioner. It is obvious that, if non-Catholics can claim success in over fifty per cent. of their efforts, Catholics should be able to do the same or better, if they have the opportunity.

The opportunity will usually lie with the priest in the neighbourhood. He is not likely to be the one approached, except in rare instances, but he can always offer his services and, if one priest's experience is any guide, he will not regret it. This priest is attached to the South-Western Police Court in London. He has no official position, but is a voluntary helper to the Court Missioner. With proper permission, he began work in February, 1935, and by December, thirty-two cases had passed through his hands. To estimate success in reconciliation is very difficult but, out of the thirty-two cases, two resulted in separation before the end of the year and four since. The attitude of the Court has been consistently courteous and helpful and the Magistrate and Probation Officers have not demanded more than ordinary attention to the work. The cases dealt with seem to fall naturally into definite types. There are the couples who married "for the sake of the baby" and whose married life comes to a crisis usually after one year or a year and a half. Their case is often hopeful, though it needs tact and continued attention for months. Then there are the young couples who married without thought and have not settled down. They do not present much difficulty and any priest would know what to do with them. The really difficult cases are those in which the husband (or wife) is a drunkard or a bully. With habitual drunkards, something can be attempted, but not often. Husbands whose fault is that they are too ready with their hands are not quite so difficult, though they have sometimes destroyed all the wife's love. Cases which present many complications of the "Titius and Bertha" type are surprisingly rare.

³ The rest of the Report is taken up with Probation Problems and Probation Officers in general.

In such cases, expert advice from moralists is desirable and it is sought.

On the whole, the work seems worth while, despite its occasional failures and the anxiety which sometimes accompanies it. The lay officers are glad to have someone they can employ who is not an official and the couple concerned infinitely prefer a priest to anyone else. The Catholics met with are almost always lax or inclined to be careless and are often quite unknown to their parish priests. Much can be done to help them by bringing them back to their duties or putting them in touch with their own priests. An extraordinary feature of reconciliation work is the way in which it develops. Once the priest is known, his advice is sought, not only by the Catholics who are sent by the Court, but also by many Catholics and even non-Catholics outside the Court. One couple came thirty miles across London. Others have been sent by non-Catholic societies, not with the idea of getting material aid, but simply to put their Catholic cases into Catholic hands for advice. Difficulties naturally occur, but they are not insoluble and often involve much valuable experience.

Enough has been said to show that this question of reconciliation needs attention. In a city like Birmingham two priests could deal with the cases which occur. Liverpool would need three and Manchester four. Sheffield and Carlisle would need one each. The work entailed would not embarrass the resources of the various dioceses, and there is another aspect of the case which does not seem to have gained the attention it deserves. The future of Catholic Probation Officers and Catholic Probation work is very uncertain. Were the strictly Catholic officers to be merged into a general Probation scheme, the priest would be the only link between the Church and those Catholics who appear at Court. Besides the marriage cases, there are thousands of Catholics who appear on various major or minor charges. It has been claimed (by a non-Catholic) that all these cases need some attention from a priest in any case, whether they are dealt with by Probation Officers or not; the fact remains that we shall be in a very difficult position if we lose our few Probation Officers and have made no provision for dealing with their work.

HOMILETICS

Sunday Within the Octave of the Sacred Heart.

In the devotion to the Sacred Heart we honour the living Heart of Christ, united to His Divine Person; and we honour His love of which the Heart is the symbol. The love we honour is twofold, the human and the divine. For in Christ there were two loves, as there were two wills; but the human love, as the human will, was always perfectly subjected to the divine; hence He could say: "I do always the things that please Him" (John viii. 29).

Christ had a beautiful human love because He had a perfectly balanced and refined human nature. His life showed it, by His compassion to sinners (cf. the Gospel), His kindliness, patience and forgivingness. The impression He conveyed was that on Him, as St. Peter indicates in the Epistle, we may cast all our care, for He has care of us. "Come to me, all you that labour and are burdened: and I will refresh you. Take up my yoke upon you and learn of me, because I am meek and humble of heart: and you shall find rest to your souls. For my yoke is sweet and my burden light" (Matthew xi. 28-30). The beautiful phrases from the psalms in to-day's Liturgy are fully applicable to Him. He is merciful to those who are alone and poor; He is a just, strong and patient judge; He does not abandon those who seek Him, nor forget the prayers of the poor.

Because of the subjection of Christ's human love to the divine, these traits in Him are a translation, so to say, into human language of the love of God for men. God in Himself is beyond our mind's reach, and it is difficult for us to appreciate Him. We know that He is infinite in love as in all His perfections. But, since we are men, we want to feel that love striking our imaginations and drawing our emotions. We would like to see and hear God, to have Him on our level, so to say. Hence it is so much easier to understand and love God when we know that He is Jesus, and that the characteristics of Jesus display humanwise the attributes of God. Therefore, by the human love of Jesus we understand the love of God. Christ would not be compassionate and forgiving unless God were so. In this way we begin to understand better the beautiful texts about God's love: "Behold He shall neither slumber nor sleep that keepeth Israel. . . . The sun shall not burn thee by day nor the moon by night. The Lord keepeth thee from all evil" (Psalm cxx.); "Can a woman forget her infant, so as not to have pity on the son of her womb? And if she should forget, yet will not I forget thee" (Is. xl. 15).

The Sacred Heart has loved us to the limits of love: "For a just man one will scarce die; but He when as yet we were

sinners died for us" (Romans v. 7). "Let us therefore love God since He hath first loved us" (1 John iv. 19). Let it be a love proved by deeds, and thus real, deep and sincere; proved above all by the avoidance of serious sin, for that strikes straight at the Heart of Christ suffering, "crucifying again the Son of God and making a mockery of Him." Finally, let it be a love in which we are prepared to do penance and endure pains in atonement for our own sins and the sins of others, for the love of reparation is the distinctive note of devotion to the Sacred Heart, as it was revealed to St. Margaret Mary.

Fourth Sunday after Pentecost.

In the Epistle selection we have a difficult passage on the restoration of all things at the end of the world and on the resurrection of man's body as the central event of this restoration. St. Peter says that St. Paul's writings on the things to come are difficult; in his epistles "are certain things hard to be understood, which the unlearned and unstable wrest, as they do also the other scriptures, to their own destruction" (II Peter iii. 16). So, says St. Peter elsewhere, "no prophecy of scripture is matter for private interpretation" (ibid., i. 20).

The pagans, to whom the apostles preached made a great difficulty over the resurrection of the body. At Athens some mocked; others politely, but without any glimmering of faith, promised to hear St. Paul again (Acts xvii.). Festus, the Governor, commented loudly: "Paul, thou art beside thyself; much learning doth make thee mad" (Acts xxvi. 24). Even the converts at Corinth doubted; and St. Paul had to make the resurrection a main subject of I Corinthians (xv.). Death seemed to be completely final, as far as the body was concerned; it was the enemy unconquered and unconquerable. But Christianity assures us that when the body is laid in the grave it is not the end. One day the body will live again reunited with the soul. Hence we affirm in every Creed that we believe in the resurrection of the body.

The great proof is that on a spring morning in Palestine one tomb stood open, and our Lord was seen alive—body and soul—by a cloud of witnesses; He spoke and ate and could be handled. He did not rise for Himself alone. He rose as forerunner and author of our resurrection. This is a cardinal doctrine of St. Paul, and therefore God's revelation: "If the Spirit of Him who hath raised up Jesus from the dead dwelleth in us, then He who raised Christ Jesus from the dead, will also bring to life our dead bodies through His Spirit who dwelleth in us" (Romans viii. 11). By the presence of the Spirit we are sons of God: "We have received the Spirit of adoption of sons whereby we cry abba, Father" (ibid. viii. 15). But that is only the firstfruits. The full harvest is yet to come. Then we shall be fully sons, when by the power of the Holy Spirit we rise like Christ in body as well as soul. It is for this full adoption that we long anxiously (Epistle, Romans viii. 23).

As Christ rose glorified, so shall we. "The trumpet shall sound and the dead shall rise again incorruptible. And we shall be changed" (I Corinthians xv. 52). "[The body] is sown in corruption; it shall rise in incorruption" (ibid., 42); it will not die again, nor suffer (cf. Apoc. xxi. 4), but will have the gift of *impassibility*. "It is sown in dishonour: it shall rise in glory" (ibid., 43). This is the gift of *clarity*, by which the brightness of the glorified soul will overflow to the body. "It is sown in weakness: it shall rise in power" (ibid., 43), endowed with *agility*, by which it will move with the greatest ease and speed at the behest of the soul. "It is sown a natural body: it shall rise a spiritual body" (ibid., 44); that is, it will be endowed with *subtlety* or *spirituality*, not in the sense that it will cease to be body, but in the sense that it will be perfectly subjected to the dominion of the soul.

By sanctifying man Christ has sanctified the whole of creation, for man is the meeting place of the spiritual and material worlds. Hence St. Paul speaks of all creation longing for its complete redemption. Some day the world will be destroyed by fire (II Peter iii. 10). But it will not remain as a mere mass of destroyed elements. It will be fashioned into a new heaven and a new earth, and thus it will be "delivered from the slavery of corruption." What the new heaven and earth will be like we know not. But it will be glorious and beautiful, befitting the glorified bodies of the just.

St. Paul opens his Epistle with a lesson which we can at once apply: "the sufferings of this time are not worthy to be compared to the glory to come." In all our tribulations we must cling to hope. Life is not a night without a morning, a winter without a spring. God knows how much of night and of winter there is in life, how much injustice, how great the triumph of evil, how complete the defeat of good. But the efforts we can make to right the wrong will be the better if we cling to the Christian hope that endurance here for Christ's sake will gain an eternal weight of glory. It is the man who has no hope beyond this life and who sees his short span frittered away in idleness and suffering, who becomes incurably embittered against his fellow men.

Fifth Sunday after Pentecost.

Fraternal charity is taught in both the Epistle and Gospel. We are taught not to render evil for evil, and not to nourish anger and revenge in the heart or speak evil against our neighbour; on the contrary we must pray for him, sympathize with him, be merciful, modest, humble, be peacemakers. Especially must we love the brethren, our fellow Catholics. Before making our offering at the altar—before Holy Mass—we should seek reconciliation of our estrangements.

Our neighbour is the secondary object of the virtue of charity. He must be loved as ourselves for God's sake (Matthew xxii. 37-40). Charity is eulogized in the most beautiful chapter of

St. Paul (I Cor. xiii.). Also by the other Apostles : by St. Peter, in to-day's Epistle ; by St. James, who says that the man who does not sin with the tongue is a perfect man, and who describes very tellingly the evil potentialities of the tongue ; by St. John, who says : " If any man say : I love God, and hateth his brother, he is a liar. For he that loveth not his brother whom he seeth, how can he love God whom he seeth not ? " (I John iv. 20). Above all, it is taught insistently by our Lord Himself : cf. to-day's Gospel, and Matthew v. 44-47 ; vii. 1-5 ; xxii. 37-40 ; John xiii. 34-35. He insisted that forgiveness of our neighbour was a necessary prerequisite of our own forgiveness by God, v.g., in the " Our Father " and in the parable of the two debtors (Matthew xviii. 23, etc.). In His description of the Last Judgment He made clear the importance of charity by speaking only of it (Matthew xxv. 34, etc.). He gave us in His own Person a shining example of charity ; for " greater love than this no man hath, that a man lay down his life for his friends " (John xv. 13) (Cf. St. Paul's comment in Romans v. 6-9). At the moment of His betrayal He called Judas " friend." On the Cross he prayed for His murderers, urging the best excuse He could : " Father, forgive them, for they know not what they do."

The outstanding importance of love for our neighbour lies in this that it is a guarantee of the genuineness of our professed love for God. It is the good fruit showing that the tree is good. Our Lord said : " Not every one that saith to me, Lord, Lord, shall enter into the kingdom of heaven : but he that doth the will of my Father who is in heaven, he shall enter into the kingdom of heaven " (Matthew vii. 21). " If you love me, keep my commandments " (John xiv. 15). Note that seven of the Ten Commandments concern our fellow men.

It is the month of the Sacred Heart, and we should be particularly alive to His claims and interests. Now fraternal love is a paramount interest of His ; for He has said : " By this shall all men know that you are my disciples, if you have love one for another " (John xiii. 35 ; Cf. I John iv. 16).

Sixth Sunday after Pentecost.

The miracle in to-day's Gospel naturally leads the mind to the thought of God's providence.

(1) St. Augustine says, on the similar miracle of feeding the five thousand : " God's wonderful operations by which He rules the whole world and administers the universe have lost value with us because of their frequency, so that no one deigns to heed the marvellous and stupendous works of God in a grain of seed. Therefore, with His usual merciful care He reserved to Himself certain things beyond the normal course and order of nature which He would do at a suitable time, in order that those to whom the facts of every day had grown cheap should be struck with amazement at the sight of unusual, but not greater things. For the government of the whole world is a

greater miracle than the satisfying of five thousand men with five loaves. And yet no one wonders at it. But they do wonder at the other, not because it is greater, but because it is rare. For who even now feeds the entire world but He who creates the crops from a few grains? Christ acted therefore as God. He multiplied five loaves in His hands from the same source from which He multiplies the crops out of a few grains; for there was power in the hands of Christ. Those five loaves were as seeds, not indeed committed to the earth, but multiplied by Him who made the earth."

(2) In this miracle note the sympathy of the Sacred Heart with our ordinary needs; the Greek verb expresses deep-felt and most tender emotion. So we know that the goodness of Providence carefully watches over us; "the very hairs of your head are all numbered" (Matthew x. 30). Even the bad He cares for; "He maketh his sun to rise upon the good and the bad and raineth upon the just and the unjust" (Matthew v. 45). The bad do not acknowledge His benefits. All the more reason, therefore, is there that those who profess to love Him should not be remiss.

(3) St. Thomas gives three reasons why the multitude were miraculously fed: (a) their perseverance in following Him; (b) their need; (c) their imminent danger. Always in these circumstances Providence will intervene on behalf of those who really trust Him.

(4) Our Lord's teaching on the Providence of God in the Sermon on the Mount (Matthew vi. 25, etc.) can serve to make clear the lesson of this miracle. "(i.) God gave us our life and our body, *a fortiori* He will bestow the things which preserve the life and the body. (ii.) God gives food to the birds, much more will He provide food for us. (iii.) He clothes the lilies in splendour, how much more will He clothe us" (van Steenkiste).

NOTES ON RECENT WORK

I. MORAL THEOLOGY AND CANON LAW.

BY THE VERY REV. CANON E. J. MAHONEY, D.D.

Discussions on the Divorce Bill have brought an unusual number of letters to the Press interpreting the exceptive clause in Matthew xix. Some Catholics have contributed. One made a strong case for the view that the exception had reference to fornication not to adultery, and therefore is to be related not to an offence committed during a valid Christian marriage, but to one committed during what we now call betrothment.¹ It is one of many possible explanations. The one which is usually favoured by Catholic theologians assumes that the offence is occurring during the marriage of Christians, thus conceding the full force of the difficulty, but the exception is held to justify separation only. The most convenient summary of all the possible interpretations of the text is, we think, in Cardinal MacRory's little book, *The New Testament and Divorce*. It is, in substance, a reprint of a series of articles from the *Irish Theological Quarterly*, an excellent journal which unfortunately ceased publication in 1922, and it has been brought up to date by Mgr. J. M. T. Barton, D.D.² The position of the Anglican Church on the subject is now more uncertain than ever. Some bishops are in favour of the Bill, others are not, and there is also a sharp divergency of opinion about the resolution of the *Joint Convocations of Canterbury and York* permitting, in certain circumstances, divorced persons who have remarried to receive Holy Communion. The *Council of the Church Union* have come down heavily against this resolution.³

Chrétien's treatise, *De Matrimonio*, in its second edition, is so enlarged and altered as to be practically a new work.⁴ We notice that he joins his voice to that of the "maior et sanior pars" of theologians in deprecating public propaganda of the new computations of the Safe Period. "Ob bonum sociale, animarum pastores methodum continentiae periodicae ne publice proponant; sed ab ea habitualiter sequenda, data occasione, avertant. Vigilant pro posse ne in manu iuvenum et puellarum veniant libri methodum commendantes atque conceptionis Kalendaria. Pertimescendum est ne methodus, quae in deter-

¹ Fr. Vincent McNabb, O.P., *The Times*, February 12th, 1937.

² Burns Oates & Washbourne. 1924. 93 pages.

³ *The Church, Marriage and Divorce*, Church Literature Association, 8, Great Smith Street. 1936.

⁴ *De Matrimonio Praelectiones quae in Seminario Metensi habebat P. Chrétien*, Metz, Rue des Clercs 12. 1936. 491 pages.

minatis casibus utilis et benefaciens esse potest, denatalitatem horrendo accrescat." We cannot find in this new manual any discussion of the papal power of dissolving certain marriages in *favorem fidei*, nor can we find any judgment about the existence or non-existence of the impediment of Impotence, in the case of a sterilized man. Perhaps this is due to the unfortunate inaccuracy of reference which has crept in, a defect which will, no doubt, be remedied in subsequent editions. On the whole, it is a good treatment of the subject.

Another second edition of the same treatise, also much enlarged, is that of Fr. Merkelbach, O.P.⁵ The volume includes all the Sacraments, and is more than adequate for the use of students preparing for the priesthood.

Fr. Dorsaz, C.S.S.R., has published a book on the *Safe Period*⁶ which gives more attention to the theological aspect of the matter than some other books of this kind. Chapter X, *La Pensée de l'Eglise*, is particularly useful for the summary of theological opinion drawn from the manualists in common use, and for its discussion of the judgments of the Holy See. We are all aware of the decree of the Sacred Penitentiary in 1880, but the manuals do not usually record that this was preceded by an earlier answer, in the same sense, given in 1853 to the Bishop of Amiens. The fact that the computation of what was considered *tempus ageneseos* is quite different now from what it was then is not relevant to the ethical issue. The author claims to have been advised by people in touch with the Vatican that the statement in *Casti Connubii* has no direct reference to the *Safe Period*. The words in the original are: "Neque contra naturae ordinem agere ii dicendi sunt coniuges, qui iure suo recta et naturali ratione utuntur, etsi ob naturales sive temporis sive quorundam defectuum causas nova inde vita oriri non possit." Fr. Vermeersch, in his commentary on the Encyclical,⁷ seems to take it for granted that the teaching of Pius XI has in mind the *Safe Period*. Others refer the words either to the case of advanced age or to some organic disability in the woman. Whatever view is taken, there can be no doubt that the teaching of the Encyclical can easily be adapted to mean an implied approval of periodical continence.

An article by the superior of the "Messengers of the Faith," in the *Catholic Medical Guardian*, January, 1937, explains admirably the work of this association in rescuing Catholic girls and in providing proper care for unmarried mothers, with special reference to the home at Devon Nook, Duke's Avenue, Chiswick. The clergy who come into contact with cases, which call for the utmost sympathy, will be grateful for the information given. As always, this excellent journal provides useful and

⁵ *Summa Theologiae Moralis*, Tomus Tertius, editio altera. Desclée de Brouwer. 1024 pages.

⁶ *Le Contrôle rationnel des Naissances*. Libraire Mignard, Paris. 196 pages.

⁷ *What is Marriage*. The America Press, N.Y. p. 44.

practical advice. Unhappily, there are a few views expressed which, we feel sure, are written *currente calamo* and without a due appreciation of their meaning. We do not chiefly refer to the writer's opinion about the cleanliness of Irish girls, nor to the criticism of the work of devoted nuns who have been engaged heroically in rescue work for decades. These are personal views which many will think should not have been printed. Of more importance, as a statement of principle, is the view that sex instruction should be given in Catholic schools, by doctors, on a purely scientific basis, and not mixed up with religion. All this is in direct opposition to the guidance of the Holy See. It is not "shocking" in the sense the writer fears, but it is surprising that anyone should write on the subject in a Catholic journal not knowing what the Holy See has directed. For it is quite certain that the writer, and the excellent organization represented, would not knowingly contradict the explicit teaching of the Holy Father on this matter.

As was to be expected, the Instruction issued last year by the Congregation *De Disciplina Sacramentorum*,⁸ with regard to the conduct of marriage cases by diocesan tribunals, has received the careful attention of canonists. Dr. Torre, an advocate of the Rota, has issued an edition of the document supplemented with a Commentary and Indices.⁹ The notes are inserted after each article of the document, and they will be useful in explaining some of the rules and in showing to what extent any new discipline has been introduced. But the most valuable part of the work is in the fifty pages of Indices, which make it possible to find easily and quickly a number of rules dealing with the same subject, e.g., "insurandum." The method of this Index follows that which is employed by the editors of the Judgments of the Rota, that is to say, there is given, under each word, a summary of the directions contained in the Instruction, and not merely a numerical reference to the text. It would be very useful, in our opinion, if a commentary of this kind could be supplemented by a full and abundant collection of *formulae*, questions to witnesses, and specimen documents, as are given to some extent in such publications as Benedetti, *Ordo Iudicialis Processus Canonici*.¹⁰ A rather more detailed commentary in Italian, on the same Instruction, is appearing in *Il Diritto Ecclesiastico e Rassegna di Diritto Matrimoniale*, a bi-monthly publication which is concerned with every aspect of marriage, civil as well as ecclesiastical. The articles are by Dr. C. Badii.

An historical dissertation of some interest to canonists, by Fr. Agathange de Paris, O.M.Cap., deals with the papal power

⁸ See CLERGY REVIEW, Vol. XII, 1936, p. 397.

⁹ *Instructio servanda a Tribunalibus Dioecesanis in pertractandis causis de nullitate Matrimonii . . . Epitome . . . cura Johannis Torre*. Naples, 1937. 152 pages.

¹⁰ Marietti. 1935.

of dispensing solemn vows.¹¹ It is a doctorate thesis presented to the faculty of Canon Law, Toulouse. Fr. Ange de Joyeuse, a Capucin priest, was induced by quite exceptional circumstances affecting the public welfare to quit his convent in 1592 in order to command an army. The canonists of the University of Toulouse of that date judged that it was lawful for him to do so, on a principle of *epikeia*, and that the matter could be regularized afterwards by the Holy See. In the event, certain authorizations were obtained from Rome, and canonists have been of the opinion that, amongst other things, the vow of chastity was dispensed. The author shows that the canonists have been mistaken on this point. The historical part of the book serves as a background for discussing the whole subject of the possibility of obtaining a papal dispensation, in the strict sense of the word, from solemn vows. Abundant documents are given in the appendices illustrating the point which has always been in dispute.

Fr. E. Berg, S.J., in *Ephemerides Theologicæ Lovanienses*, 1937, fasc. 1, discusses religious profession in its wider aspects, and establishes very carefully its real nature and constitutive elements. He proposes a double definition of religious profession, nominal and real. The nominal definition is as follows: profession is an act by which one embraces the religious state in a determined Institute. The real definition is: profession is a public act of religion, by which one promises God the practice of the evangelical counsels of poverty, chastity and obedience, in an approved Institute, and in virtue of which one submits to the power of jurisdiction and of ruling exercised by lawful superiors.

Amongst the many dissertations in Canon Law published by the Catholic University of America, which consistently maintain a high standard, we mention Dr. Clery's study of *The Canonical Limitation on the Alienation of Church Property*.¹²

Vol. VII of the very convenient reprint of the Acts of Pius XI, issued by La Bonne Presse, takes us up to the year 1931.¹³ It contains the original text together with a French translation and includes *Quadragesimo Anno* and *Non Abbiamo Bisogno*. The latter document is an important one on Catholic Action in Italy. It seems that it is now the practice of the Holy See to issue documents destined for a particular country in the vernacular of that place instead of in Latin. The recent Encyclical to the German people, for example, was in German. *Non Abbiamo Bisogno* appears to have been the first occasion of this practice.

¹¹ *Un Cas de jurisprudence pontificale. Le P. Ange de Joyeuse Capucin et Maréchal de France*. Bibliotheca Seraphico-Cappucina, Assisi. 1936. pp. 147 plus 104. Lire 25.

¹² Washington. 1936. 141 pages.

¹³ *Actes de Pie XI*, Texte Latin et traduction française, Paris, 5, Rue Bayard.

II. HOLY SCRIPTURE.

BY THE VERY REV. MGR. CONSULTOR JOHN M. T. BARTON,
D.D., Lic.S.Script.

The appearance of a translation of Tatian's *Diatessaron*, in the form in which we now possess it, is not an everyday affair, and all students of the textual criticism of the Gospels should be grateful to Père A. S. Marmadji, O.P., for the work which he has recently completed with such success. His book, *Diatessaron de Tatien*,¹ has been reviewed, on the whole very favourably, by Professor D. S. Margoliouth in a recent number of the *Journal of Theological Studies*;² and by Père P. Benoit, O.P., in the *Revue biblique*;³ and for details of the work and its importance readers may be referred to the reviews in question. Here it will be sufficient to say something, very briefly, by way of introduction to the book. The main facts about Tatian's *Diatessaron* are fairly adequately known—that it was the work of an Assyrian Christian, who, in or about the year 172, constructed a single Gospel text which, “fashioned by adding together the texts of the four canonical Gospels, so as to form a single writing, was very popular in Syria until the fifth century, and was incorporated in the Syriac liturgy and commented by Saint Ephrem.”⁴ It is now becoming more and more probable, in the opinion of experts, that the original work (now lost) was in Greek, though the Arabic version, which forms the most important part of Père Marmadji's book, has as its basis a Syriac rendering which has also disappeared. The Arabic version, up till now traditionally ascribed to a well-known writer, Abu'l-Faraj ibn al-Tayyib (ob. 1043), is thus, at best, a translation of a translation, yet, in spite of its imperfections which, in Père Marmadji's view, help to dispose of the traditional ascription, it remains the best available text. It was first edited, on the basis of two manuscripts preserved in Rome, in 1888 by Padre (afterwards Cardinal) Ciasca, who provided a Latin translation; since then, there have been renderings in English by Hogg and Hamlyn Hill, and in German by Preuschen.

It is not the least of the merits of Père Marmadji's edition that it furnishes the first complete rendering in French of so notable a work. But, in addition, he has made a careful collation of the MSS. used by Ciasca, using for his own text

¹ *Texte arabe établi, traduit en français, collationné avec les anciennes versions syriaques, suivi d'un évangélaire diatessarique syriaque accompagné de quatre planches hors texte.* pp. cxvi.+536+84. Imprimerie catholique, Beyrouth. 1935. Price 115 francs.

² Vol. 38. January, 1937, pp. 76-79.

³ Quarante-sixième année. Janvier, 1937, pp. 124-128.

⁴ F. Cayré, A.A., *Manual of Patrology and History of Theology*, English translation by H. Howitt, A.A. Desclée. 1936. pp. 130 ff. For further information on Tatian, see, in particular, Père M. J. Lagrange, O.P., *Critique Textuelle, II, La Critique rationnelle*. Paris. 1935. pp. 184-202. Cfr. CLERGY REVIEW, Vol. XI, pp. 403-405.

a third MS. belonging to the library of the École biblique de S. Étienne, Jerusalem; further, he has done all in his power to establish the Syriac text underlying the Arabic, by means of his profound knowledge of the two languages. The French translation aims at being extremely literal, and one of Professor Margoliouth's criticisms of the book is concerned with "the evident desire to poke fun at the Arabic translator by giving his words senses which he did not intend them to have and translating obvious corruptions of the text . . . as though the Arabic writer had intended them," but he adds in conclusion: "These defects by no means outweigh the merits of the edition to which justice has been done above."⁵ If it be true, as Père Lagrange has remarked that: "Dans l'histoire du texte du Nouveau Testament, en ce qui touche aux évangiles, il n'est pas de plus grand nom que celui de Tatien," it will be evident that Père Marmadji has deserved well of all scripturists by placing so masterly a critical edition at their service.

The series of studies in the theology of the New Testament, published by the Libreria of the Angelico University, Rome, and written by Père Jacques M. Vosté, O.P., has already received notice in these columns.⁶ The first volume, *De Conceptione virginali Jesu Christi*, appeared in 1933; the second, *De Baptismo, Tentatione et Transfiguratione Jesu*, in the following year. The third and most ambitious volume of the series has now been issued under the title *De Passione et Morte Jesu*.⁷ It is, one may say at once, one of the best and most up-to-date works on the Sacred Passion in existence, and it will be of incomparable value to all who preach and teach. After a short chapter on the events immediately preceding the Passion, Père Vosté discusses our Lord's Agony in the garden in four sections, dealing respectively with the biblical texts, with the authenticity of the Lucan narrative concerning the angel of the Agony and the sweat of blood, with erroneous interpretations of the Agony, and with the theological explanation of that great mystery in terms of the teaching of St. Thomas. Next follows a chapter on Judas's betrayal which considers the biblical texts and, in two appendices, the questions of Judas's communion (apropos of which the author decides that Judas did, in fact, receive the Holy Eucharist at the Last Supper) and his death. Then come sections on the traitor's name and character, on the historicity of the betrayal and on the traitor's reasons for his action, which, in the author's judgment, may be reduced to two—greed and the frustration of his hope of a temporal messianic kingdom.

Chapter IV is occupied with the narrative of our Lord's trial and condemnation by the Sanhedrin and by the Roman governor.

⁵ *J.T.S.*, Vol. cit., pp. 78-79.

⁶ *Cfr.* Vol. VII, p. 151, and Vol. IX, p. 156.

⁷ Rome, Libreria del Collegio Angelico, Salita del Grillo, 1, 1937. pp. viii. + 398. Price 32.50 lire.

The section on the trial before the chief priests considers in turn the texts, the Sanhedrin's judicial power and the legal form of the process, and, finally, the crime imputed to our Lord and the unjust verdict. The section on the civil trial before Pilate has, as its sub-divisions, the texts, the site of the *praetorium*, and Pilate's character and his verdict on our Lord. Appendices treat of Peter's denials and the "improperia." Apropos of the last question, Père Vosté gives full attention to the attempt made by Reinach and others to identify our Lord's treatment by the soldiers with certain Saturnalian rites which involved the crowning and subsequent execution of a mock king.⁸ He is able to show that this rite of the *Sacaei* has little or nothing in common with the reproaches inflicted on our Lord. His conclusion is: "Vel leviter enim cogitantibus evidens est, in ipso Christi judicio, in ejus condemnatione ob affirmatam regiam dignitatem, sufficiens haberi motivum derisionis Christi, regis induti purpura et spinis coronati" (pp. 220-221).

In the final chapter, "De via Crucis et morte Christi," the author deals in succession with the site of Calvary, with the punishment of crucifixion, with the question raised by Matthew xxvii. 46 and Mark xv. 34, and with the redeeming power of Christ's death. Even so brief a summary, ignoring as it must a host of details and subsidiary matters, will show that the qualities we have been accustomed to associate with all Père Vosté's work—orderliness, clarity, mastery of his authorities, and completeness—are to be found here in full measure. At the end of each chapter there is a very full bibliography with comments, often highly important and detailed, on the works selected. It seems quite certain that the book will remain a standard authority on its subject for many years to come.

It is understood that Père Vosté will complete his series of treatises on New Testament theology with a study of the Resurrection and Ascension. In the meantime, Père F. M. Braun, O.P., professor of New Testament exegesis in the University of Fribourg, has published a valuable brochure, entitled *La Sépulture de Jésus*,⁹ a subject which, as he explains in his *avant-propos*, is closely connected with the historic fact of the Resurrection. The bulk of the work has already appeared in the *Revue biblique* in the numbers for January, April and July of last year. The greater part of the booklet is taken up with a study of the texts from the Synoptic Gospels, St. John's Gospel, the apocryphal Gospel of Peter, the Acts of the Apostles and St. Paul's epistles which bear witness to the circumstances of our Lord's burial. The second part examines,

⁸ On p. 215 there appears to be a slight mistranslation of the text of Dio Chrysostom . . . "et flagellatum comburant" should, it would seem, be "et flagellatum suspendunt." The Greek text has *ekremasan*. Cfr. Lagrange, *Evangile selon Saint Marc*, 4th (1929) edition, pp. 421-22.

⁹ Paris, Gabalda, 1937. pp. 84. Price not stated.

in the light of the texts, three recent unorthodox attempts to interpret the traditional data. These are (1) the theory adopted by Loisy and Guignebert which maintains that our Lord was buried in a common grave, and that the traditional story of an honourable burial by Joseph of Arimathea is a later invention; (2) Baldensperger's hypothesis of a hasty burial by the Jewish authorities, followed by a secret interment by Joseph; (3) the more subtle theory elaborated by Dr. Maurice Goguel which distinguishes between an indeterminate and perhaps unverifiable ritual burial by the Jews, which was historical, and the traditional narrative of the burial by Joseph which was, he claims, the product of creative imagination. Père Braun has little difficulty in proving that these theories, while they differ in many details, are alike in their arbitrariness, their subjectivism, and their unwillingness to accept the plain evidence of the texts. In an appendix, which did not form part of the articles published in the *Revue biblique*, the author writes with much discernment on the subject of "le double embaumement de Jésus." He shows that the anointing of our Lord at His burial and the bringing of spices by the holy women were two rites wholly distinct, though in no sense mutually exclusive. "Dans un cas [the anointing at the burial], il s'agit d'un ensevelissement véritable; dans le second, il n'est plus question que d'une marque de respect et d'amour, conforme aux usages palestiniens, ou de soins pieux et complémentaires que la hâte avec laquelle le corps du Christ avait été enseveli justifierait amplement" (p. 79). It was customary, in Palestine of our Lord's time, to visit the bodies of deceased friends within the first three days after burial (apropos of which there is an interesting note on Martha's remark in John xi. 39), and the "anointing" on such occasions involved no more than the casting of a few drops of perfume on the dead body.

A work by the Abbé Vaganay of the theological faculty of Lyons, which was noticed some months ago in this REVIEW,¹⁰ has now been translated into English with the title *An Introduction to the Textual Criticism of the New Testament*.¹¹ The French original was commended, on its first publication, as a useful means of initiation to a complicated subject, and it appears to have been carefully translated. Unfortunately, to re-furbish an old proverb, nothing ages so quickly as a bun except a book on textual criticism, and it is to be regretted that no reference has been made in the English edition to Père Lagrange's monumental work on *La Critique Rationnelle* to which attention has already been drawn in the course of the present notes. It is safe to claim that most text-books of "lower criticism," as it is sometimes styled, will need to be supplemented, if not re-written, in the light of Lagrange's

¹⁰ Vol. VIII, p. 403.

¹¹ Translated by the Rev. Bernard Miller, D.D. Sands & Co. 1937 pp. 208. Price 3s. 6d.

book.¹² Again, in the chapter on "The History of the Printed Text," space should have been found for a short account of P. Augustin Merk's edition of the Greek Testament, published by the Istituto Biblico in 1933.¹³ With these not inconsiderable reservations the English edition of Vaganay may be recommended to students.

III. HISTORY.

BY THE REV. ANDREW BECK, A.A., B.A.

Most history books, especially text-books, are in one way or another unsatisfactory to Catholics; and the Catholic teacher needs some prudence—and perhaps a little advice—in their use. For the more popular elementary text-books the Westminster Catholic Federation did good work in this field several years ago; and now the Association of Convent Schools has begun a critical survey of a more advanced series of historical works typical of those used in the upper forms of schools, or by students reading for scholarships. The scheme is to publish a series of small pamphlets containing notes on the various volumes of the *Oxford History of England* which is now appearing under the general editorship of Professor G. N. Clark. The first of these pamphlets,¹ by Dr. David Mathew, deals with Professor Black's volume on the reign of Queen Elizabeth, and its scope is indicated by the Note with which Dr. Mathew introduces the whole series. "After considering the individual volume, some books of special interest to Catholic schools are mentioned, but the lists are not intended to be exhaustive. They are compiled for the benefit of Teachers dealing with the higher forms. . . . A few lines of thought are suggested at the end of each pamphlet. They are intended to indicate to the teachers some points of view in regard to the development of the Catholic body *vis-à-vis* the general life of the nation." It is this last idea, different from the earlier critical work of the W.C.F., which is so welcome, and which is, incidentally, an excellent summary of Dr. Mathew's own historical method. It implies, not so much the criticizing of non-Catholic history, as the telling of the Catholic story; insistence less on the Catholic view than on the Catholic fact. It is valuable because constructive, non-controversial and cumulative. Every teacher of history must have recognized the value of Dr. Mathew's *Catholicism in England* for school purposes, and all who teach Elizabethan history will be grateful especially for the four pages

¹² It is all the more remarkable that Sir Frederic Kenyon's recent handbook on *The Text of the Greek Bible* (Duckworth, 1937, price 5s.) does not appear to show any acquaintance with Lagrange's masterpiece.

¹³ Cfr. CLERGY REVIEW, Vol. VI, pp. 398-99.

¹ *Notes on the Elizabethan Volume of "The Oxford History of England."* The pamphlets are not for sale, but copies may be obtained from the Secretary of the Sub-Committee of the Reading Scheme, whose present address is St. Charles's Training College, St. Charles's Square, W.10.

in this pamphlet entitled "Some General Ideas on the Period." The Association of Convent Schools deserves our thanks and congratulations for this initiative.

Since the death of Father Kerr of the Oratory, the work of continuing the English translation of Pastor's vast *History of the Popes* has been undertaken by Dom Ernest Graf of Buckfast Abbey. The two latest volumes² are devoted to the pontificates of Leo XI and Paul V. The story of the first-named is short. An old man of seventy, elected after much discussion, he seems to have been completely weighed down by the dignity of his office, and died on April 27th, 1605, little more than a fortnight after his coronation. He was succeeded by a man of very different stamp, Camillo Borghese, the enricher of his family by bare-faced nepotism, but a strong Pontiff of the Counter-Reformation. The early part of the seventeenth century was a period of consolidation rather than of rapid Catholic advance in Europe. Poland was strong, the Netherlands held, and a Catholic revival in Germany seemed certain when, as Paul V's reign drew to a close the promise failed in the first rumblings of the Thirty Years' War which were heard in Bohemia and the Palatinate. This was a period of wide missionary enterprise, of saints too, and great workers in the Church. St. Francis of Sales, St. Robert Bellarmine, St. Camillus, St. Peter Claver, Aquaviva, Baronius (so nearly Pope in 1605), Pierre de Bérulle, Matteo Ricci are names which suggest some of its richness.

The long controversy *de auxiliis* was finally settled in 1607. Galileo fell foul of the Roman Inquisition in 1603. But the greatest anxiety to Paul V came from the Signoria of Venice and its evil genius Paolo Sarpi. The Servite friar is a strange figure. He detested the Papacy with an almost diabolical intensity, and was ready even to plunge Italy into a religious war, urging a Protestant invasion, to overcome his deadly enemy. His history of the Council of Trent in spite of its size, was in intention a pamphlet against the Papacy. He died unreconciled. And the motive of his hatred? Probably no more than thwarted ambition. All this is told in a steadily unfolded story, enriched with Pastor's firmness of touch, careful judgment and vast documentation. The translation, apart from one or two slips (e.g., a double negative on p. 130 of Vol. XXVI), is a really excellent piece of work, fluent, idiomatic, dignified.³ Dom Graf has set himself a high standard for the future.

² Vols. XXV and XXVI. pp. xli. and 478; xii. and 512. Kegan Paul. 15s. each.

³ There are a few misprints, chiefly in proper names:—Gonzaga (pp. xxxvii. and 265), Jesuits (p. xxxvi.), Aquaviva (p. 250) in Vol. XXV; Bentivoglio (p. vii.), Millini (p. x.), Branau (p. 353) in Vol. XXVI. I do not know exactly in what the "editing" consists, but English translations of important works are not as a rule noted, and it is a surprise to find Fr. Morris's *Troubles of Our Catholic Forefathers* quoted in a German edition. With regard to the Gunpowder Plot, one would have liked to see a reference to Mr. Carswell's work on the trial of Guy Fawkes.

Two more fascicules of Dom Charles Poulet's *Histoire du Christianisme*⁴ have appeared, the first bringing the second big division of this work to a close with the end of the thirteenth century. It is divided into two parts—Livre XIV, *La Pensée Religieuse Médiévale*, and Livre XV, *L'Art Chrétien du VIII^e au XIV^e Siècle*—the first, from the pens of Père M. Gorce, O.P., and M. E. Vansteenberghe of Strasbourg, being an able and compact study of the development of Christian thought and spirituality during the later Middle Ages.⁵ Père Gorce's treatment of St. Anselm, the founder of Natural Theology, is far too summary, and perhaps, because of his admiration for Abelard, he is very severe on the affective theology of the School of St. Victor. (The balance is restored, however, in the next chapter by M. Vansteenberghe.) The full significance of Peter Abelard—the father of methodic doubt and the man among all who made the philosophic defence of Revelation a possibility—is well brought out, but it is particularly to St. Albert the Great and St. Thomas Aquinas that P. Gorce devotes his attention. These pages are excellent, and yet the achievement of St. Thomas is not, I think, sufficiently emphasized, chiefly because the nature of the threat to Christian thought from the Greco-Arab philosophers is not made clear. P. Gorce takes a good deal of knowledge for granted, is more allusive, and more obscure than, for instance, Mr. Dawson in *Mediaeval Religion* or Father Hughes in the second volume of his *History of the Church*. In the latter case the disciple has proved a better summarist than the master. St. Thomas's triumph was his defence of the true autonomy of individual human reason; but to his contemporaries this triumph was not so evident. The fourteenth century was overshadowed by the new nominalism of William of Occam, destructive of the active individual intellect, containing the seeds of determinism, and helping to prepare the way for Luther and Calvin. The triumph of St. Thomas came too late to stop the disintegration.

Space allows no more than a brief mention of M. Maurice David's account of another great achievement of the Middle Ages—architecture and decorative art. These chapters are excellently illustrated, and in general the paper, print and production are of a high standard. It is significant that the next division, opening with the Avignon Papacy, is given the title *Temps Modernes*. But then, as Professor Jacob has said, our Continental colleagues have never had the date 1485 to fight against.

For the fifth volume of his survey of the cultural history

⁴ XIII (pp. 208) and XIV (pp. 112). Gabriel Beauchesne et ses Fils. The publishers announce that from No. XIV onwards the price of each fascicule will be raised to 25 francs.

⁵ For an appreciation of P. Gorce's *L'Essor de la Pensée au Moyen Age*, see CLERGY REVIEW, September, 1934, pp. 233-234.

of Europe," Mr. Edward Eyre has got together a strong team of authorities to deal with the economic and social side of European history since the Reformation. The names of Dr. Ernest Barker, Mr. A. V. Judges, Mr. R. G. Hawtrey, Mr. Arthur Birnie and Professor Carr-Saunders are sufficient guarantee of excellence, though personally I was a little disappointed with the last-named's chapter on the growth of population in Europe.⁷ Demography on its historical side is still truly *une petite science conjecturale*. This big book—well, over a thousand pages of clear print in strong and supple binding—is divided into four parts: The Coming of the Economic State, The Growth of Banking and Monetary Institutions, Modern Sociological Theories, and A Study of the Modern State. Much of the contents falls outside the scope of these notes, though Part III alone, by Dr. A. E. Feavearyear and Mr. Michael de la Bedoyère, would make the work worth having, especially the latter's chapters on Comte and on the rise of Boleshevism. But the section most worthy of note in these pages is the essay with which the book opens, and in which Miss Margaret James traces the effects of the religious changes of the sixteenth and seventeenth centuries on economic theory and development. Here we have a survey of the passing of Usury, of the failure of the Church of England to control economic life, of the deep influence of Puritanism on the middle classes, of the effect of theories of predestination on worldly success, until that travesty of Christ's teaching was reached when poverty was looked upon as the wages of sin and "the unforgivable sin in the eyes of God and man was failure." Then came the economists who found the poor a commercial proposition and a national asset to be preserved on the verge of utter destitution, even by government action if necessary. It was the strange perversity of Nonconformist teaching which gave what religious sanction there was to all this callous exploitation. "What had once been vices now became virtues. It was the poor man rather than the rich man who had to pass through the needle's eye. So, in the eighteenth century, repression of the poor was all that remained of the old ideals of social solidarity and control which had once been held by Reformer and Catholic, Puritan and Anglican alike." It is a pity that the plan of the book has made no provision for a study of the Catholic social revival in nineteenth-century Europe. As it is, we know too little in this country of the work of men like Ketteler, Hitze, Vogelsang, Toniolo, de Mun and de la Tour du Pin, and all the work and discussion leading up to *Rerum Novarum*. I am sorry that Mr. Eyre has missed the opportunity of providing an account for English

⁶ *European Civilization: Its Origin and Development*. By various contributors, under the direction of Edward Eyre. Vol. V. Economic History of Europe since the Reformation. Large 8vo. pp. 1328. Oxford University Press: Humphrey Milford. 25s.

⁷ For the modern problem, see Professor G. O'Brien's article in *Studies*, December, 1936.

readers. In the whole of this book the greatest social document of the nineteenth century is not even mentioned.

In *The Meaning of History* Nicolas Berdyaev shows that certain periods are specially suitable for speculation on the meaning and the "mysteries" of History. When the world faces a crisis, when a culture seems about to disintegrate, men turn to deeper consideration of the meaning underlying the whole historical process. St. Augustine, de Maistre and Spengler are products of their time. A good deal of recent periodical literature has discussed this philosophical outlook on history. Fr. Gervase Mathew, O.P.,⁸ sees little immediate prospect of a Thomist philosophy of that branch of history, more justly called Culture Study; while Mr. De Burgh of Reading University⁹ would deny to the historian any right to philosophize at all. Dr. Goerlich¹⁰ is less speculative but more orthodox. But it is especially two articles by Mr. Ross J. S. Hoffman in *The American Review* for October and December of last year to which I wish to call attention. Readers of Christopher Dawson will be familiar with most of the ground covered by the first—"The Marxian Philosophy of History"—while the second, entitled "Nicholas Berdyaev's Philosophy of History," is suggestive of a line of Apologetics. Not merely does Mr. Hoffman show that the Incarnation is the key to the Christian understanding of History, but he insists that "there are not, in fact, several philosophies of history as there are several religious and metaphysical systems; there is but one philosophy of history, as there is but one religion that implants historical consciousness in the mind of man. That philosophy is Christian, and all other so-called 'philosophies of history' are but degraded and untenable derivatives from it." He comes back to an idea already in a different way developed by Dr. Johannes Pinski.¹¹ The culture of Western Christendom is, through the Incarnation, unique. Berdyaev, following Spengler, holds that like other cultures it will follow the cycle of growth, maturity and death. But will it? Mr. Hoffman will not agree. "The atheistic elements of modern civilization do not signify the death of our culture, but only new problems for it to solve. We are men of Christendom, and the gates of hell shall not prevail against us. Whatever may be the fate of other cultures, we should know by this time that our culture does not die. Belloc's famous thesis in his *Europe and the Faith* is a far better interpretation of our history than is this Spengler-Berdyaev thesis of organic decay and destiny." Mr. Hoffman and *The American Review* are worthy of attention.

⁸ "Philosophy and the Meaning of History," in *Blackfriars*, November, 1936.

⁹ "Philosophy and History," in *The Hibbert Journal*, October, 1936.

¹⁰ "The Idealist or Materialist Conception of History," in *The Sower*, January, 1937.

¹¹ *Christianity and Race*. Sheed & Ward.

For sheer historical worth, however, Dr. J. C. Russell's *Dictionary of Writers of Thirteenth-Century England*¹² is one of the most outstanding of recent publications—the unassuming, impersonal and highly valuable result of a vast amount of bibliographical research, collation and compilation. It is perhaps too much to say that the last word on the bibliography of the 350 odd writers here catalogued has now been said, but there is no doubt that this will become a standard work of reference from whose pages much will be quarried by lesser men, and to which we shall all turn for information when we wish to appear learned on the period. If you want to know the sources for the lives and writings of Adam Marsh, St. Edmund of Canterbury, Peter of Blois, Robert Grosseteste or Roger Bacon, to name but a few, you will have to go to this dictionary whose pages bristle with references to learned monographs, printed collections and manuscript sources. There are some wise words in the Preface on the mere repetition of references and on unwise conjecture. "It is too easy for bibliographical tradition to convert guesses into statements which develop after repetition an unjustified semblance of worth." This book is a real tribute to American historical scholarship and to the Institute of Historical Research.

¹² Special Supplement No. 3 to *The Bulletin of the Institute of Historical Research*. Crown quarto. pp. x.+210. Longmans Green & Co. 7s. 6d.

QUESTIONS AND ANSWERS

CO-OPERATION OF NURSES.

I have heard it stated, as a general rule of guidance, that a Catholic nurse, assisting at a surgical operation, may with a good conscience do *anything* she is ordered to do by doctors or other superiors, without concerning herself with the morality of the action. Is this a safe and a recognized rule of conscience for the nursing profession? I have in mind assistance at an operation directly causing abortion? (J.A.)

REPLY.

We may remember the words of Ecclesiasticus xxxviii. 1-4: "Honour the physician for the need thou hast of him: for the most High hath created him. For all healing is from God, and he shall receive gifts of the king. The skill of the physician shall lift up his head, and in the sight of great men he shall be praised." It was among the counsels of St. Vincent de Paul to the Sisters of Charity that, when nursing the sick, they should carry out absolutely everything ordered by the doctors, who were more learned than they and who were greatly honoured by God in this text of Holy Writ. The same counsel, or rather precept, is usually to be found amongst the constitutions of religious orders, in the section devoted to the Infirmary.

But is it necessary to observe that an excellent general rule of this kind takes it absolutely for granted that a doctor, in the exercise of his profession, is doing nothing which is gravely forbidden by the law of God? It is, at least, taken for granted that the assisting nurse is not skilled enough to know exactly what the doctor is doing or why. Neither of these assumptions can be taken for granted in these days. Non-Catholic surgeons of repute, acting according to their lights, cause abortion with a tranquil conscience, if it is considered necessary for the patient's health. The assisting nurse knows exactly what the surgeon is doing and why. If she is a Catholic she almost certainly knows that it is a grave sin directly to cause abortion, though she may not know that there is excommunication attached to this crime. Her position is one of the greatest difficulty, and she is assured of the intelligent sympathy of any priest or theologian whose advice she may ask. But if any of these were to tell her that all she need do is to carry out orders, and that the blame would rest entirely on her superiors, he would show himself an extremely ignorant or reckless counsellor. What he should do, of course, is to apply the ordinary principle permitting *mediate* co-operation in the evil of another. This would mean discovering what exactly is her part in this fell business. If it is judged to be of its nature indifferent, such as sterilizing instruments, it may be permitted for a grave reason *remoto scandalo*. If it is of its nature evil, such as administering medicine designed to cause abortion, it cannot be permitted for any reason whatever. There will sometimes be appalling doubt and difficulty in deciding whether the action is intrinsically indifferent or evil, in other words, whether the co-operation is *mediate* or *immediate*; there will be less difficulty

in deciding on the gravity of the reason and on the measures taken to avoid giving scandal. But it is evident that no answer suited to all cases can be given to the question whether a nurse may assist at an abortion, unless it is clear that what she is expected to do is intrinsically wrong, in which case the answer must always be in the negative. But the judgment that the action is not intrinsically wrong does not imply that it is always permissible. The gravity of the reason alleged and the scandal resulting must also be weighed before coming to a decision. The solution will vary with each individual case according to the circumstances of each, and in the absence of any official ruling the question is essentially one for the guidance of a competent confessor.

Whilst showing all the respect and obedience due to superiors in everything lawful, a trained nurse is not a machine or an automaton but a member of a highly skilled and responsible profession. "Respect your vocation in yourself," writes Professor Masci, "and take care not to defile or profane it. Do not sell your skill like a labourer or a domestic servant, and do not permit others to think that you are doing so. It is not merchandise offered for sale."¹ During the Nurses' Congress at Rome, in the summer of 1935, mention was made of the "deplorable theories which sought to penetrate the nursing profession, in order to use nurses as the unwitting instruments for the propaganda of neo-Malthusian eugenics," and the Holy Father himself said in his address: "Above all, continue to fight against paganism and materialism, because you know full well what means they employ to laicize, so to say, the nursing profession, to laicize it in the very worst sense of the word. It is a laicization which is equivalent to de-Christianization. . . . It has been well said that there is no such thing as neutrality: it is an illusion. Theoretically speaking, yes; we can speak of things as good, of the indifference of the acts and of the persons. But if theoretically we can speak of neutral action, in practice it is impossible to keep a true neutrality, for consciously or unconsciously we work either for good or for evil."²

E. J. M.

SANATIO AND MIXED RELIGION.

From the wording of the *formula* granting quinquennial faculties to Ordinaries, a *sanatio in radice* may be applied to marriages contracted civilly whenever, amongst other reasons, the non-Catholic party refuses to give the guarantees required by Canon 1061, §2. How does this harmonize with the rule of Canon 1060 which states that such marriages are forbidden by divine law, unless the danger of perversion to the children is removed? (J.S.)

REPLY.

The formula referred to, which is now superseded, may be

¹ *Documentation Catholique*, XXXI, 1936, col. 1296, quoting *l'Osservatore Romano*, February 10th, 1934.

² *Tablet*, September 7th, 1935.

seen in Bouscaren, *Digest*, p. 63, *Collationes Brugenses*, 1923, p. 411, or Wernz, *Jus Canonicum*, V, p. 503, n. 67: "Sanandi in radice matrimonia attentata coram officiali civili . . . cum impedimento mixtae religionis aut disparitatis cultus . . . sive quia pars acatholica ad renovandum coram Ecclesia matrimonialem consensum, aut ad cautiones praestandas, ad praescriptum Cod. I.C. 1061 §2 ullo modo induci nequeat; dummodo aliud non obstet canonicum impedimentum, super quo Ipse dispensandi aut sanandi facultate non polleat." The formula requires the Ordinary to warn the Catholic party of the obligation of safeguarding "pro viribus" the faith of the children.

This formula was certainly capable of being read in the sense that a *sanatio* could be obtained, even though the non-Catholic was opposed to the Catholic education of the children, provided the Catholic undertook to do all in his or her power to have them educated in the Catholic faith. This view was, in fact, held by many canonists interpreting these faculties.¹ Others were of the opinion that a *sanatio* could not be granted, under these faculties, if the refusal of the non-Catholic party constituted a danger to the faith of the children; for the marriage would then be forbidden by divine law.²

However, as a writer in *Apollinaris* notes,³ the Holy See in recent years has expressed more strictly the conditions under which a *sanatio* in these circumstances may be granted. In the current formula, between the words "nequeat" and "dummodo," the following clause is added: "exceptis casibus: (1) in quo pars acatholica adversatur baptismo vel catholicae educationi prolis utriusque sexus natae vel nasciturae; (2) in quo ante attentatum matrimonium, sive privatim sive per publicum actum, partes se obstrinxerunt educationi non-catholicae prolis, uti supra."⁴ Whatever, therefore, may have been held about the earlier formula, it is now quite certain that there is no possible contradiction between Canon 1060 and the formula of Quinquennial Faculties. The divine law requires that there should be moral certainty concerning the removal of the danger of perversion, and this may exist even though the non-Catholic party refuses to sign the guarantees, since a prudent judgment may be formed that, in spite of this, the Catholic education of the children will *de facto* be secured.⁵

E. J. M.

MARRIAGE DISPENSATION IN CANON 1045, §3.

May the special faculties conceded in Canon 1045, §3, be used by a priest who had been warned of the existence of an occult impediment some time previously, but had unfortunately for-

¹ Cf. Ter Haar, *Mixed Marriages*, ed. 1933, p. 66.

² Cf. *Irish Ecclesiastical Record*, March, 1933, p. 302.

³ 1933, p. 499.

⁴ Cf. Ter Haar, *ibid.*; *I.E.R. ibid.*; *Ecclesiastical Review*, July, 1932, p. 73.

⁵ Cf. *CLERGY REVIEW*, Vol. X, 1935, p. 50.

gotten to apply for a dispensation until it was too late to do so? (D.E.)

REPLY.

The familiar *casus perplexus*, which the older authors used to discuss, has now largely disappeared owing to the legislation of the Code, as contained in Canons 1044, 1045. The faculties there conceded by the common law may be used *only in occult cases*, when the Ordinary cannot be reached, and if an impediment is discovered when everything is ready for a marriage which cannot be delayed without grave harm. The definition of what is meant by *occult* in this connection is a well-known difficulty, but it does not come within the terms of this question.¹ Assuming that it is an impediment which can be dispensed in these circumstances, the doubt arises from the clause: "in quibus (casibus) ne loci quidem Ordinarius adiri possit," since the Ordinary could have been reached except for the negligence of the priest.

We think that the faculties can be used, for they are meant to be applied in every case of grave and urgent necessity occurring when everything is ready for a marriage. All the priest need do is to decide whether he would use these faculties if the impediment had only just come to his notice, irrespective of the fact that the urgency is due to his own forgetfulness. This is the solution given in *Periodica*, 1933, Vol. XXII, p. 43, and even if it appears to be somewhat doubtful, Canon 209 can be invoked for the necessary jurisdiction. If the case is not *occult* he cannot, of course, dispense from the impediment.

E. J. M.

DESECRATED CHALICE.

Is it necessary to reconsecrate a chalice after it has been repaired? The case I have in mind is that of a chalice the stem of which has been broken so that the base is severed from the cup. (H.)

REPLY.

Canon 1305, §1, n. 1: "Sacra supellex benedicta aut consecrata benedictionem aut consecrationem amittit: si tales laesiones vel mutationes subierit ut pristinam amiserit formam, et iam ad suos usos non habeatur idonea." This rule is certainly applicable to the broken chalice under discussion, and all the writers we have consulted agree that it requires reconsecration. The original form of the article has been lost by the breakage, and it is no longer capable of being used as a chalice.

The rule, of course, does not apply to the type of portable chalice which permits the cup to be unscrewed from the base. In such articles it is considered that the cup alone has been consecrated.²

E. J. M.

¹ Cf. *Resp. Comm. Cod.*, December 28th, 1927; *Ius Pontificium*, Vol. VIII, 1928, p. 36.

² Cf. *Gardellini Comment. in Decretum*, 2621; *Periodica*, Vol. IX, 1920, p. 30; Preümmer, *Theol. Moral.*, III, §299.

ABSTINENCE DISPENSATION.

Does a parish priest exceed his powers in giving a dispensation from abstinence to all the persons assembled at a house within his parish on the occasion of a wedding? (X.)

REPLY.

Canon 1245, §1: "Non solum Ordinarii locorum, sed etiam parochi, in casibus singularibus iustaque de causa, possunt subiectos sibi singulos fideles singulasve familias, etiam extra territorium, atque in suo territorio etiam peregrinos, a lege communi de observantia festorum itemque de observantia abstinentiae et ieiunii vel etiam utriusque dispensare." The power of the parish priest is limited to dispensing single individuals or single families, and it is taken for granted that there is a just cause.

(i.) It is agreed that a dispensation for a family includes the servants and other people belonging to it habitually. "Comprehenduntur non tantum parentes et liberi, sed et omnes qui aliquo modo stabili partem huius determinatae familiae constituunt, ut famuli et ancillae."¹ It is also beyond dispute that the visitors to the house may be dispensed *qua* "peregrini," if the names of each are presented to the parish priest.

(ii.) Also, without great difficulty, it can be admitted that if a family is lawfully dispensed from the law of abstinence, visitors to the house may also take meat, not precisely because of the dispensation but because of the difficulty of providing a separate meal. This interpretation may be deduced from a similar case resolved by the Sacred Penitentiary, May 27th, 1863.²

(iii.) But it is disputed whether, in this context, the word "familia" may be taken in a wide sense, so as to include those invited to a family reunion, such as would occur at a wedding. For we have to bear in mind Canon 85: "Strictae subest interpretationi non solum dispensatio ad normam can. 50, sed ipsamet facultas dispensandi ad certum casum concessa." Some writers hold that the word is not to be taken in this wide sense and Dr. Brys, who has made a particular study of dispensations, is of this view.³ Others, probably the minority, adhere to the liberal interpretation, e.g., Loiano: "Dispensatio concessa toti familiae videtur extendenda etiam ad hospites et invitatos ad prandium, non autem ad eos qui ad eludendum abstinentiae legem se eidem familiae coniungunt."⁴ Génicot-Salsmans is quoted for this view and it has been defended

¹ *Coll. Brugenses*, 1924, p. 162.

² Cf. Aertnys-Damen, *Theol. Moralis*, I, §1057.

³ *Coll. Brugenses*, loc. cit.

⁴ *Theol. Moralis*, II, §483.

consistently by writers in *l'Ami du Clergé*:⁵ “. . . les invités de la noce constituant ce jour là un groupe dont on peut dire qu'il est moralement parlant familial.” We think that this liberal view may be safely followed. It represents, so it would seem, the mind of the legislator. At the very least, it may be held that a parish priest may validly dispense the whole nuptial gathering, since it is an act of jurisdiction and the Church supplies in cases of doubt.

E. J. M.

MASS OBLIGATION.

Is it permitted an extern, not living in the house, to satisfy the Sunday obligation by hearing Mass in a chapel erected for the convenience of a group of secular clergy in a house of convalescence? In my view it is permitted since a chapel erected for the use of a community is semi-public. (V.)

REPLY.

The sanction of the local Ordinary is required for a chapel of this kind, and a definite solution of the doubt can only be obtained by consulting him, or the document authorizing the chapel which would, no doubt, define its status. Failing an authoritative solution, we hazard the following view on the matter. From Canon 1128, §2, it is clearly not a public oratory: “ut omnibus fidelibus, tempore saltem divinorum officiorum ius sit adeundi”; nor is it a private oratory: “in commodum alicuius tantum familiae vel personae privatae.” Therefore, it must be a semi-public oratory, but not for the reason suggested in the question. The sick priests are not a “community” in the sense of Canon 673: “in communi degentes sub regimine Superiorum secundum probatas consuetudines.” Living in common under the same roof, as any family might, does not make the individuals into a community in the ecclesiastical sense. If the house is in the charge of a religious community of sisters, the chapel could be regarded as semi-public on this title. But a semi-public oratory is one erected either for a community or “in commodum coetus fidelium eo convenientium.” The chapel in question, even though the house is in charge of lay persons, seems to comply with this definition and is therefore a semi-public oratory in which the Sunday obligation may be fulfilled.

E. J. M.

⁵ Cf. 1923, p. 582; 1924, p. 25, p. 635.

ROMAN DOCUMENTS

(i.) *Shrine of Our Lady at Loretto*. Apostolic Letters, dated August 6th, 1936 (A.A.S., XXIX, 1937, p. 50), grant various privileges and indulgences in favour of the pilgrims visiting this shrine, similar to those granted in 1925 to pilgrims visiting Palestine and Lourdes. Mass may be said in the open provided the altar is properly protected on its three sides. The faculties conferred by Canon 883 for hearing confessions, as interpreted by the Code Commission, are declared to be operative for priest pilgrims with regard to the laity accompanying them. Priests may say Mass, provided they observe the usual precautions, on board ship, and Benediction of the Blessed Sacrament may be given.

A plenary indulgence, subject to the usual conditions, may be gained on the day of arrival at Loretto and on the day of departure; the indulgences proper to Loretto may be gained even without hearing Mass actually within the shrine; the indulgences proper to the Stations of the Cross may be gained on the journey without properly erected Stations.

Dispensation from fasting is granted to those who hear Mass, meditate for a quarter of an hour, or recite the rosary on a fast day occurring during the pilgrimage.

Priests may recite fifteen mysteries of the Rosary in place of the breviary.

(ii.) The decree of the Sacred Penitentiary, March 20th, 1933, and April 1st, 1933, which restricted the acquisition of various faculties merely by joining some pious association, is further clarified by the following decisions given by the Sacred Penitentiary, March 2nd, 1937 (A.A.S., XXIX, 1937, p. 58).

I. An clericus, qui nomen dederit piis fidelium associationibus ante memorati Decreti evulgationem, frui possit facultatibus in eodem Decreto recensitis vixdum sacrum Prebyteratus Ordinem suscepit. Resp.: *Negative*.

II. An sacerdos, ad Confessiones non approbatus, qui, uti supra, suum nomen dederit ante Decreti evulgationem, frui valeat praedictis facultatibus. Resp.: *Affirmative*, exceptis tamen facultatibus adnectendi Indulgentias Apostolicas et Plenariam "in articulo mortis," quae exerceri nequeunt nisi post obtentam approbationem ad excipiendas sacramentales Confessiones.

BOOK REVIEWS

Irish Saints in Italy. By Fra Anselmo M. Tommasini, O.F.M.
(Sands & Co. 15s. net.)

There are more than two hundred and twenty parish churches in Italy dedicated to Irish saints, as well as an almost uncountable number of lesser churches, chapels and shrines, parishes, oratories, convents, and hospitals, not to speak of the streets, squares, suburbs and bridges, or such geographical features as mountains, rivers and harbours recalling their names. Moreover, nearly all the most notable shrines so dedicated have been made the subject of historical monographs by distinguished scholars. The principal Irish saints so honoured are Patrick, Brigid, Columbanus, Gall, Ursus, Gunifort, Cummian, Fulco, Emilian, Pellegrino, Fridian, Donatus, Andrew, Silaus, Brigid of Opaco, Cathal, and Tadhg Machar. They were thus nearly all saints who translated their conviction that life on earth is a pilgrimage and an exile, by living out their lives in voluntary pilgrimage, or exile.

I had already read this great book in the original, and had been possessed all through its reading by an uncomfortable sensation of shame. This sensation recurred with even greater discomfort when I read the English translation. Its author was moved to write it because he considers these saints are not sufficiently known, even in places "... where ... honour is paid to them every day, but in the majority of cases as to beings wrapped in mystery." But if those saints are far too often "beings wrapped in mystery" to their Italian worshippers, how much more mysterious are the Irish saints to the Irish people, and we seem to do nothing about it. Again, the Italian effort at commemoration and thanksgiving is so much nobler than our own. It is true that a persecuted people cannot express their worship in glorious sculpture, or in the building and decoration of splendid shrines, or in scholarly treatises of permanent value. But we are religiously emancipated now for over one hundred years, and the Irish Catholic effort at recovery in that interval has hardly been spectacular. Consider the basilica of St. Columban at Bobbio with its beautiful altars, its crypt and sarcophagi, its fifteenth-century tomb designed by Giovanni dei Patriarchi, and its lattices of exquisitely wrought iron; the abbey library which, before its dispersal, was the most celebrated in all Italy; and the ancient traditions of culture and piety for which Bobbio is famed. And then think, by way of contrast, of that grave in which Patrick, Brigid and Columcille are supposed to be interred: more like a felon's pit than a burial-shrine, it stands in the crowded foreground of the unkempt graveyard surrounding the Protestant Cathedral of Downpatrick, a cold edifice that is doubly chilling by reason

of its emptiness and its dank atmosphere of disuse. And one could go through the whole list of Irish saints with the same chorus of lamentations and regret.

On the other hand, an Italian vindication is perhaps opportune, for if the religious and artistic commemoration of Irish missionary zeal in the land of Italy is noble, the ignorance that prevails among the populace about all things Irish is disconcerting in the extreme to an Irish traveller. He will find himself persistently described by Italians as English, and his attempts to establish his distinctive nationality will be met with a sort of pained patience, as though he really had no business confusing people by trying to make distinctions between *English*, *Irish* and *Scottish*. This muddle in the popular mind is but a reflection of the historical confusion still more irritating in its everlasting recurrence; it dates back to the thirteenth century when, as a rule, the word *Scotia* meant *Scotland* right through the ages to the remoteness of the fourth century when the same word *Scotia* meant *Ireland*. Fra Tommasini's patient and lucid explanations should go far towards clearing his countrymen's minds on the subject of Ireland's identity.

One of the great charms of this book is the humility with which it is offered to the public. The author himself describes it as "a humble, but loving tribute to the Island that had done such good service to Christian civilization," and he expresses the hope that it may lead students to make more complete researches in the same field. When he reaches any point of controversy, he offers his opinion with the same disarming diffidence and detachment; and when he feels constrained to contradict the views of other scholars, he does so with suavity and gentleness. To readers accustomed, as most of us are, to a sort of suppressed violence in a scholarship that is grimly absolute and dogmatic, this method of Fra Tommasini is refreshing.

The truth is that this self-effacing and modest author appears to have covered the whole ground very thoroughly. He spent ten years in the preparation of the work and, as he was a successful professional man during most of this time, he had ample opportunity for travel and independent research. The material for his book was assembled before he made a dramatic change in his life by joining the Friars Minor in Rome as a lay-brother. His book must be ranked with Dom Gougaud's *Christianity in Celtic Lands*, with Father John Ryan's *Irish Monasticism*, and Dr. J. F. Kenney's *Sources for the Early History of Ireland* (Vol. I, *Ecclesiastical*). Equipped with these four recent works of a value and importance impossible to exaggerate, the modern student in this field is fortunate indeed. The translation is excellent, but readers already acquainted with J. F. Scanlan's merits as a translator will not need this assurance.

ALICE CURTAYNE.

God and the Modern Mind. By Hubert S. Box, B.D., Ph.D.
(S.P.C.K. 10s. net.)

In this useful volume Dr. Hubert Box discusses the contrasts between the traditional and modern conceptions of God, showing the inadequacy of the latter. According to the authors quoted, the repudiation of the traditional idea of God does not mean the denial of religion, but rather a shifting of the emphasis from God to man, so that God appears as the product of religion, and is involved, along with man, in the cosmic struggle and evolution. This demand for a revised theory of religion is traced to the democratic tendency; to a heightened sensitiveness to the problem of evil; to the scientific mood; to the vogue of evolution-theories; and to a distrust of intellectual reasons concerned with the relation of the world to the Source of Being. Dr. Box finds that the alternative data suggested, namely: religious experience, intuition and pragmatic faith, are incapable of explaining the facts or improving the situation. A chapter on Value then carries him to the conclusion that "values" cannot be conserved apart from a God who transcends human values, and the author concludes with an outline of the Thomist theory of knowledge and of analogy, according to which the mind rises from ordinary concepts to a knowledge of God, while attributing all perfections of being to Him in a unique manner.

How far the writers cited by Dr. Box can be taken as representing a dissatisfied attitude on the part of our fellow-countrymen, is a problem in itself. In any case, however, this presentation reveals a momentous situation, which calls for rectification, for the opposition cannot be charged with insincerity. Evidently there is much to be done, sympathetically, in reconciling modern tendencies with the historical principles of religion, according due recognition both to the subjective and the objective elements in religious life.

There is something real in religious experience, though it cannot be exalted into an all-sufficient or exclusive explanation. On the other hand, the objective facts lose much of their appeal if presented as remote cosmological speculations, unrelated to our consciousness and life-interests. It was within the intimate realm of the religious convictions of the race that there arose the religious knowledge, which eventually became formulated scientifically by such leaders as Plato, Aristotle and St. Thomas, and all their proofs may well conclude with the words: "this is what all men mean by God." This personal knowledge of the First Cause of all, is certainly an aspect of theism which still awaits proportionate development and exposition.

The tendency of Dr. Box's writing, following the model of Dr. Fulton Sheen, is not to discourage criticism, but rather to show that the truths hidden beneath the modern objections and amendments can be maintained and safeguarded only within the wider scope of Christian Theism.

A. L. R.

Mother M. Arsenius of Foxford. By the Rev. Denis Gildea, B.D.
(Burns Oates & Washbourne, Ltd. pp. 198. 6s.)

Shortly after the grand ball which celebrated her coming of age in 1863, Agnes Morrogh Bernard disappointed suitors and society by leaving her wealthy home, near Killarney, to become an Irish Sister of Charity. As Sr. M. Arsenius, in charge of schools in Dublin, she displayed rare organizing ability and was soon sent as Superioress of a new foundation in Ballaghaderreen, Co. Mayo. Her coming to the West of Ireland in 1876 marked the beginning of a much-needed economic development in a distressed area. Having transformed her convent-school into a successful centre of technical and vocational training, she went to Foxford in 1891 and promptly proceeded to amaze the timid and alarm the wise by founding the Providence Woollen Mills. The name was significant. Wise heads wagged, and warning fingers pointed to projects that had failed, but this cloistered Gedeon never wavered in her hope that Providence would bedew her fleece. To-day these mills are famous. And not only for rugs and blankets, but also as an example of industrialism wed to Christian economics. Mother Arsenius knew her *Rerum Novarum*. With insight and sympathy, and indeed with admirable skill, Fr. Denis Gildea has written this most interesting life. He fully deserves the tribute paid to him by his Bishop in an eloquent foreword.

B. P.

The Religion of Wordsworth. By A. D. Martin. (G. Allen & Unwin. pp. 103. 3s. 6d.)

Wordsworth thus described (for we cannot use the word "defined") his religious belief: "I look abroad upon Nature, I think of the best part of our species, I lean upon my friends and I meditate upon the Scriptures, especially the Gospel of St. John; and my creed rises up of itself with the ease of an exhalation, yet a fabric of adamant." This profession of faith occurs in a private letter, and in a previous sentence he makes the accustomed depreciatory reference to dogma that is expected of all educated English Protestants. As a fact the expectation is seldom disappointed, for no one can express his contempt for dogma so dogmatically as one who has none. God forbid that anyone should sneer at another's religion sincerely held, but it has to be pointed out that this anti-dogma pose is harmful to religion itself. No doubt some adopt it in the belief that it will render them immune from attack. The hope is illusory as was clearly proved in Wordsworth's case. He bases his "religion of gratitude" on nature, humanity, friendship and the Bible; a tyro in debate could quote him instances from all four that would test his sense of gratitude. That Wordsworth's religion was an inspiration to him, a comfort and a source of strength, we can well believe and be glad that it was so. But essentially it was a personal

thing and has little or no significance for any one else. This is not to say that Mr. Martin's book is not interesting: it is, but the interest is literary rather than religious.

S. J. G.

Edmund Lester, S.J. A Memoir by Clement Tigar, S.J.
(Longmans. 3s. 6d. net.)

We who have known, loved, and lived under the care of this great priest cannot commend too highly this work so ably written by Fr. Lester's successor. It contains a notable preface by the Archbishop of Westminster. The book tells of a man who set before himself lofty ideals which by the grace of God he achieved. His work for late vocations at Osterley has already brought nearly 300 Priests to the Altar. His Crusade movement through the K.B.S. and H.B.S. has been of untold value in the spread of devotion to the Blessed Sacrament in all parts of the world. Most people knew him as the Editor of "Stella Maris."

G. H.

Happy Babies and Their Mothers. By Mary Kidd, M.B.Lond.
(Burns & Oates. 1s. 6d. wrapper, 2s. 6d. cloth.)

Dr. Mary Kidd has followed up her excellent book, *Ideal Motherhood*, with a companion volume in which she describes with the greatest simplicity and complete detail the methodical nursing and care of the infant child. The health of the mother, the feeding, clothing and training of the baby, the avoidance or cure of infantile ailments are made the subjects of much excellent advice which is the outcome of a rich experience as a Children's Physician and Medical Officer of Infant Welfare Centres and Children's Hospitals. Not the least valuable part of the book is its advice as to the use to be made of Public Welfare Centres. Both of the works by Dr. Kidd may be confidently recommended to mothers, and the careful reading of them would make for the happiness and well-being of the family as a whole.

Correct Mass-Serving Made Easy. By Rev. H. E. Calnan, D.D.
(B. F. Widdowson & Co., 717, Fulham Road, S.W.6. 4d.)

This compact and handy little book contains, in addition to the answers at Mass, detailed instructions for correct serving, valuable hints for dignified and prayerful assistance at the Altar, and Prayers after Holy Communion for the Server. The very bold printing (with accents) of the responses should contribute to a more intelligent rendering on the part of the trained boy-server, and should make it easy for an educated adult, unfamiliar with the technique of serving, to come to the priest's aid in an emergency.

CORRESPONDENCE

CONFESSIONS OF CHILDREN.

Following upon a letter on the Confessions of Children, which appeared in a weekly paper, the Very Rev. Canon Henry A. Hunt, Diocesan Inspector of Schools of the Diocese of Nottingham, sends us the following, from Holy Cross, Whitwick, near Leicester.

The matter of the confession of children appears to me to be a great problem in the life of the parish priest, and I think I have solved that problem, at least to my own satisfaction. May I say straightway, that I consider the confession of children to be one of the most important duties of the parish priest, and one that calls for great care and attention. It seems to me that many confessions of adults, though not necessarily bad, are fruitless, because of the careless habits acquired in childhood. The confession of a child should be a very solemn and sacred thing as befits a Sacrament of Holy Church. May I, at the expense of seeming bold, propound my own method of dealing with this matter? I hear the confessions of all the Catholic children in my school once a month, and I devote many hours spread over the week to this duty. I take them in small groups and preface the Sacrament by a ten minutes' instruction or rather preparation. This includes the examination of conscience, in which I help them, the Confiteor and Act of Contrition said in common. After this the individual confession is a simple matter. I move to the front bench of the church and there "coram Sanctissimo" I hear the children's confessions. My cloak acts as a confessional, and shields the child from the gaze of companions. Thus there is established a bond of trust and loving sympathy, and in place of any shyness or fear, there exists complete ease and happiness. In this way, I maintain, routine does not engender formalism or indifference. The Confessor is amply rewarded by that look of simple innocence which shines in the eyes that look up into his face.

Perhaps I ought to add that the senior girls of the school make their confession in the usual place, but during the last year of school life, both boys and girls are encouraged to go to confession at the customary hours on Saturday, so as to form after-school habits. In passing, I might add that whenever the duties of the parish permit, I strive to be in the church every day at mid-day and four o'clock in the afternoon, when the children are dismissed from school. Most of the children come in to make a visit, and it is an encouragement for them to find the priest keeping sentinel. Also it permits them to go to confession whenever they wish to.

UNION OF PRAYER FOR PEACE.

Fr. Gerald Vann, O.P., writes :—

In answer to Fr. Cubley's kind letter, may I assure him that support of the Union of Prayer for Peace involves no compromise with liturgical integrity : the monthly Mass is celebrated by a Dominican father, following therefore Dominican and not Roman rubrics, and the difficulty does not arise.

But, in any case, could the names of those who are joining with the priest in offering the sacrifice be said not to pertain to the sacrifice?

“STERILE PERIOD” PROPAGANDA.

The Editor of *The Universe* writes :—

Canon Mahoney writes in the April issue of the *CLERGY REVIEW* (p. 150) that “so far, in this country, we have escaped the elucidation of the matter” of the “Safe Period” in “the popular Catholic Press.” The editors concerned have all along been alive to the undesirability of this and are not likely to change their view. Large offers were made to one of the Catholic papers for displayed advertisement space for a book on the subject from a Catholic source overseas ; the proprietors promptly rejected these offers at a very large pecuniary sacrifice. No doubt similar offers were made to the other papers and rejected.

[We have also received a long anonymous letter on this subject. We must ask the Rev. writer to send in his name, for our personal guidance, before publishing the communication.—EDITOR.]

WAR OF DEFENCE.

V.A.B. (New York) writes :—

Apropos of several articles on peace which have appeared lately in the *CLERGY REVIEW* the following question has arisen in my mind concerning the use of force in defence of one's faith. For the non-use of force I would quote the words of Christ : “That he who taketh the sword will perish by the sword.” In the Garden of Gethsemane Christ rebuked St. Peter for resorting to force and at the same time significantly explained that if He wanted force He could ask His father for legions of angels to defend His person. What I would like to know is just how much of a lesson we might derive from these words and examples of Christ.

I have also heard that during the present crisis in Mexico the Holy Father when asked by the Mexican Bishops advised against the use of force in defence of the faith.

Could it be true that in the plan of God for the extension of His kingdom on earth the use of force, while not perhaps morally wrong, would, nevertheless, be not so successful in

spreading the Gospel as would be the policy of non-resistance? And again the advice of Christ to the Apostles comes to mind: "When they persecute you in one city, flee into another." Could we be nearing a definition in the matter?

[The point raised by our correspondent is very fully discussed by M. Maritain in his *Freedom in the Modern World*, and his teaching is summarized in the CLERGY REVIEW, Vol. XI, pp. 302 s.—EDITOR.]

NOTICE.

We would draw the attention of our esteemed correspondents to the generally received rule that communications intended to be published anonymously should be accompanied by the writer's name and address for the Editor's private guidance.

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